

Message Text

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PAGE 01 STATE 293822
ORIGIN EUR-12

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SP-02 CIAE-00 INR-07 NSAE-00 /046 R

DRAFTED BY EUR/EE:I M SILINS
APPROVED BY EUR/EE:N G ANDREWS
L/C:F KWATEK

-----117722 091321Z /44

R 090142Z DEC 77
FM SECSTATE WASHDC
TO AMEMBASSY BUCHAREST

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E.O. 11652: N/A

TAGS: CPRS, RO

SUBJECT: ORGHIDAN COLLECTION - TUDOR CLAIM

REF: BUCHAREST 5637 AND PREVIOUS

1. EUR/EE DIRECTOR ANDREWS CALLED IN ROMANIAN CHARGE
ANGHELESCU ON DECEMBER 7 AND PRESENTED HIM WITH A NOTE (COPY
BEING POUCHED) REQUESTING FURTHER INFORMATION OR DOCUMENT-
ATION THAT WOULD CLARIFY LEGAL STATUS OF JOHN TUDOR'S CLAIM
TO ALL OR PART OF THE ORGHIDAN COLLECTION. ANDREWS POINTED
OUT THAT DESPITE OBLIGATION OF ARTICLE 12 OF THE US-ROMAN-
IAN CONSULAR CONVENTION, FOR OVER 2 YEARS GOR HAS FAILED TO
PROPERLY DOCUMENT ITS ALLEGATION THAT TUDOR CLAIM IS INVAL-
ID BECAUSE PROPERTY WAS NATIONALIZED BEFORE TUDOR BECAME A
US CITIZEN. ANDREWS NOTED THAT TUDOR CLAIM HAD BEEN RAISED
AT THIS YEAR'S CONGRESSIONAL MFN HEARINGS AND WOULD LIKELY
BE RAISED AGAIN. ALTHOUGH IT IS NOT DIRECTLY RELEVANT TO
THE MFN ISSUE, THE NEGATIVE ATTITUDE CAUSED BY AIRING OF
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THIS CASE IS NEITHER IN ROMANIAN NOR US INTEREST. FURTHER,
TUDOR CLAIM MAY BE RAISED IN CONNECTION WITH ROMANIA'S
ELIGIBILITY FOR GENERALIZED SYSTEM OF PREFERENCES (GSP).
(SECTION 502 OF THE TRADE ACT OF 1974 PROHIBITS THE
PRESIDENT FROM EXTENDING GSP TO ANY COUNTRY WHICH EXPROP-
RIATES THE PROPERTY OF AN AMERICAN CITIZEN WITHOUT

PROVIDING PROMPT, ADEQUATE AND EFFECTIVE COMPENSATION.)

2. ANDREWS MADE CLEAR THAT DEPARTMENT, LACKING FULL DOCUMENTATION, HAS NOT YET TAKEN A POSITION ON CLAIM'S VALIDITY, BUT WE HAVE NOT RECEIVED THE SORT OF COOPERATION WE WOULD LIKE FROM THE GOR AND WANTED TO BE ABLE TO PUT THE MATTER BEHIND US SOON. ANDREWS ADDED THAT WE HAD INTENDED TO RAISE MATTER WITH AMBASSADOR NICOLAE BUT SINCE LATTER IS ABSENT FROM WASHINGTON THIS WEEK, HAD DECIDED TO CALL IN CHARGE ANGHELESCU INSTEAD SO AS NOT TO DELAY MATTER FURTHER.

3. ANGHELESCU SAID HE WOULD TRANSMIT NOTE PROMPTLY TO BUCHAREST. SPEAKING PERSONALLY, HE SAID HE THOUGHT OUT-COME OF CASE WOULD BE THAT COLLECTION WOULD BE SHOWN TO HAVE BEEN NATIONALIZED OR OTHERWISE TAKEN BY GOR WHEN IT WAS OWNED BY ROMANIAN CITIZENS AND NOT CITIZENS OF THE UNITED STATES. AMONG REASONS HE ADDUCED FOR THIS CONCLUSION WERE THAT ORGHIDAN COLLECTION WAS GIVEN IN ITS ENTIRETY TO THE ROMANIAN ACADEMY, WHICH WE HAVE HEARD BEFORE AND DO NOT FULLY ACCEPT, AND -- A NEW ARGUMENT -- THE FACT THAT TUDOR, DESPITE HIS NATURALIZATION IN US, IS STILL CONSIDERED A ROMANIAN CITIZEN AND THEREFORE CLAIM IS ENTIRELY A ROMANIAN MATTER. ANGHELESCU WAS TOLD THAT WHAT WE NEED, AS SOON AS POSSIBLE, ARE DOCUMENTS OR INFORMATION ADDRESSING THE QUESTIONS RAISED IN OUR NOTE. CHRISTOPHER LIMITED OFFICIAL USE

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Message Attributes

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Sent Date: 09-Dec-1977 12:00:00 am
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Disposition Approved on Date:
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